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7 ELIDIA M. DUARTE,  
8 Plaintiff,  
9 v.  
10 ANDREW SAUL,  
11 Defendant.

Case No. [20-cv-00151-JCS](#)

**ORDER DENYING MOTION TO  
VACATE CASE MANAGEMENT  
CONFERENCE**

Re: Dkt. No. 18

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13 Plaintiff Elidia M. Duarte, pro se, filed a “Motion for an Order an Order [sic] Granting  
14 Trial Preference and that the Case Management Conference Be Taken off Calendar.” Dkt. 18.  
15 Although Duarte argues that she should be entitled to “trial preference” based on her advanced  
16 age, she does not seek a trial. Instead, she asserts that the case should be resolved on a motion for  
17 summary judgment. Duarte argues that the case management conference should be taken off  
18 calendar because the case should be resolved without discovery, and there is thus no need to  
19 address discovery at a case management conference.

20 Case management conferences are not limited to discovery issues. A case management  
21 conference will allow the Court to determine whether Defendant Andrew Saul, Commissioner of  
22 Social Security, (the “Commissioner”) agrees that discovery is unnecessary, and to set a schedule  
23 for motions for summary judgment or any other motions the parties might intend to bring. The  
24 request to vacate the case management conference is therefore DENIED. The case management  
25 conference remains on calendar for September 11, 2020 at 2:00 PM, and the parties shall appear  
26 remotely via Zoom as stated in the Clerk’s Notice dated July 22, 2020 (dkt. 14). The parties shall  
27 file a joint case management statement or separate case management statements consist with Civil  
28 Local Rule 16-9 no later than September 4, 2020.

1 Duarte, who is not represented by counsel, is encouraged to consult with the Federal Pro  
2 Bono Project's Pro Se Help Desk for assistance as she continues to prosecute this case. Lawyers  
3 at the Help Desk can provide basic assistance to parties representing themselves but cannot  
4 provide legal representation. Although in-person appointments are not currently available due to  
5 the COVID-19 public health emergency, Duarte may contact the Help Desk at (415) 782-8982 or  
6 FedPro@sfbar.org to schedule a telephonic appointment.

7 **IT IS SO ORDERED.**

8 Dated: August 24, 2020

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10 JOSEPH C. SPERO  
11 Chief Magistrate Judge